MINUTES FOR A REGULAR MEETING OF THE CIVIL SERVICE COMMISSION
HELD AT 6:00 P.M., THURSDAY EVENING, DECEMBER 9, 2004
CITY COUNCIL CHAMBERS, #2 CIVIC CENTER PLAZA – 2ND FLOOR

MEMBERS PRESENT: Berube, Paul
Ellis, William
Graham, Elijah
Harris, Alvin
Peña, Andrew
Ruck, Lance – Chair
Schwartz, Elma

MEMBERS ABSENT: Martinez, Ramy
Sutherland, Ken

ALSO PRESENT:
Aceves, Raul
Acosta, Joe
Adams, Richard – Solid Waste Management
Arballo, Bill – AFSMCE
Beltran, Adan
Bond, Terry – CSC Secretary/HR Director
Buenning, Rosy – CSC Recorder
Cuellar, Lupe – Assistant City Attorney
Curry, Patrick
Dobson, David – Economic Development
Estrada, Alma
Fargo, Peter - Human Resources
Flores, Luis
Granillo, Cruz
Jimenez, Jesus
Martinez, Lupe – Assistant City Attorney
Mueller, Paul - Human Resources
Muñoz, Alfredo Jr.
Perez, Robert
Przepasniak, James – Library
Sanchez, Ana – Human Resources
Sanchez, Ruben
Sarabia, Guillermina
Serrano, Thomas
Thomas, Linda - Human Resources

The meeting convened at 6:05 p.m. with a quorum of 7 Commissioners present and Chair Ruck presiding.

CONSENT AGENDA

Chair Ruck asked if the Consent Agenda was in order.

Ms. Bond said it was in order and requested that Items 7B and 20A be deleted.

MOTION TO APPROVE THE CONSENT AGENDA WITH THE MODIFICATIONS MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER PEÑA AND UNANIMOUSLY PASSED.

1. Discussion and Action on Approval of Minutes:

   November 28, 2004

2. Discussion and Action on Approval of Contracts:

   A. Cooperative Education Contract with Eduardo Gonzalez from February 2, 2005 through August 31, 2005, for the Arts & Culture Department.

B. Personal Services Contract with Larry E. Romero to perform the duties of Business Retention and Expansion Manager from December 14, 2004 through March 13, 2005, for Economic Development.

C. Personal Services Contract with Ricardo Pando to perform the duties of Computer Operator II from December 10, 2004 through December 9, 2005, for the El Paso Public Library.

D. Personal Services Contract with Daniel Maher to perform the duties of Secretary from December 10, 2004 through March 10, 2005, for the Mayor's Office.

E. Personal Services Contract with Luis M Guerra to perform the duties of HIDTA Fiscal Administrator from December 31, 2004 through April 30, 2005, for the Police Department.

F. Two (2) Personal Services Contracts with Esther S. Mata and Araceli Salcedo to perform the duties of Code Blue Program Coordinator from December 13, 2004 through September 16, 2005, for the Police Department.

G. Cooperative Education Contract with Christian Benitez to perform the duties of Industrial Engineering Associate I from December 13, 2004 through December 12, 2005, for Solid Waste Management.

H. Cooperative Education Contract with Hayde L. Rivas from December 13, 2004 through December 12, 2005, for Solid Waste Management.

I. Independent Contractor Contract with Keep El Paso Beautiful, Inc. for the purpose of educating the community about the long-term benefits of developing and maintaining a clean and healthy community through August 31, 2005 for Solid Waste Management.

3. Discussion and Action on Approval of Applications for Outside Employment:

A. Adcox-Kenith R.-Police
B. Adcox-Kenith R.-Police
C. Aguilar-Eddy-Parks & Recreation
D. Aguirre-Robert-Police
E. Alvarez-Alejandro-Police
F. Alvarez-Alfredo-Police
G. Armitage-Darwin L.-Police
H. Bare-Josefina-Police
I. Belles-Jeffrey A.-Fleet Services
J. Briones-Alfred-Police
K. Burch-Keith-Fire
L. Carrasco-Guadalupe G-Munic.Court
M. Carrillo-Enrique-Police
N. Casillas-Jeremiah J.-Police
O. Castañeda-Armando A. Jr.-Police
P. Cervantes-Julio F.-Fire
Q. Chaides-Mario-Police
R. Czerwinsky-Michael R.-Police
S. Dimm-Stanley F.-Police
T. Dominguez-Lawrence-Police
U. Duran-Andrew-Police
V. Gable-Robert G.-El Paso Zoo
W. Gonzalez-Carlos G.-Police
X. Goroeoff-Martina-Police
Y. Guerra-Andres-Police
Z. Gutierrez-Hilda-Airport
AA. Gutierrez-Kendall-Fire
BB. Holmes-James A. Jr.-Police
CC. Huddleston-Rosalynn-Police
DD. Liston-Dustin D.-Police
EE. Lucero-Gabriel-Police
FF. Machuca-Ricardo-Police
GG. Madrid-Benito-Police
HH. Martinez-David-Police
II. Martinez-Martin-Mass Transit
JJ. Mears-Christopher T.-Police
KK. Medina-Michael A.-Police
LL. Mendoza-Roberto-Police
MM. Mitchell-Ben-Police
NN. Morales-Elizabeth A.-E.P.W.U.
OO. Nieto-Robert-Police
PP. Orozco-Conrad C.-Library
QQ. Parra-Salvador-Police
RR. Pereda-Ruben-Fire
SS. Ponce-Carlos-Police
TT. Ramirez-Jose Luis-Police
UU. Reyes-Patricia-Police
VV. Rodriquez-Juan F.-Fire
WW. Rojas-Carlos-Police
XX. Romero-Daniel Jr.-Police

YY. Romero-Edmundo-Police
ZZ. Ruybe-Eva-E.P.W.U.
AAA. Saavedra-Jaime Alonso-Police
BBB. Sanchez-Jesus H.-Police
CCC. Sarmiento-Luis-Police
DDD. Saucedo-Edward-Police
EEE. Sena-Jesse A.-Police
FFF. Sepulveda-Alvaro A.-Police
GGG. Serna-Sylvia-Police
HHH. Serrano-Thomas-Community Dev.
III. Slack-Henry-Police
JJJ. Soto-David-Police
KKK. Spencer-Ernesto-Police
LLL. Stokes-William-Police
MMM. Thompson-David-Police
NNN. Torres-Francisco Xavier-Police
OOO. Valencia-Eduardo-Police
PPP. Walter-Gregory A.-Parks & Recreation
QQQ. Wheeler-Amy-Parks & Recreation
RRR. Whitaker-Christine-Police
SSS. White-Wade H.-Police
TTT. Zalokar-Debra-Police
UUU. Zaragoza-Juan M.-Mass Transit

4. Notice of Promulgation of Eligible Lists:

Item Not Used

5. Discussion and Action on Approval of placement of incumbents into reclassified positions in accordance with Rule 11, Section 9:

	Title	Code	Grade
Official:	Secretary I 1821	GS 13	
Proposed:	Secretary II	1822	GS 16
A.	Cubillos, Martha - Police		
B.	Mendoza, Araceli - Police		
C.	Lagunas, Consuelo - EPWU		
Official:	Clerk Typist III	1813	GS 13
Proposed:	Secretary I	1821	GS 13
D.	Arellano, Irene -EPWU		
Official:	Clerk Typist II	1812	GS 09
Proposed:	Personnel & Accounting Clerk	1601	GS 15
E.	Flores, Martha - Parks & Recreation		
Official:	Clerk Typist II	1812	GS 09
Proposed:	Secretary I	1821	GS 13
F.	Little, Donna - Parks & Recreation		

6. For Notation: Request to have appeal heard by Arbitrator:

A. Baeza, Noe – Suspension - Police Dept. (IA04-132)
B. Headen, Karim – Suspension – Police Dept. (CP04-143)
C. Saavedra, Jaime A. – Suspension – Police Dept. (CP04-264)
D. Santos, Ricardo – Termination – Police Dept. (CP04-228)

7. Discussion and Action on request to assign pending appeal cases:

A. Acosta, Jose D. – Suspension – Sun Metro
B. Granados, Irene – Suspension – Solid Waste Management

This item was deleted concurrent with the approval of the consent agenda.

8. Discussion and Action on request to have named placed on Transfer List:

A. Estrada, Alma R. – Accounting Clerk – Airport

B. Estrada, Irma – Information Entry Operator – Street Dept.

9. Discussion and Action on request to have name placed on Reinstatement List:

Aceves, Raul – Toll Collector – Street Dept.

10. Discussion and Action on Approval of Merit Increases in accordance with C.S.C. Guidelines:

A. Airport-Estrada, Alma Rosa-Accounting Clerk
B. Airport-Kilgore, Dianah L.-Land & Contract Administrator
C. Airport-Venegas, Ricardo M.-Env. Engineering Technician II
D. E.P.W.U.-Juarez, Humberto-Chief Technical Officer
E. Financial Services-Bertolli, Frances-Secretary III
F. Fleet Services-Armas, Gustavo-Automotive Technician Supervisor
G. Fleet Services-Elias, Robert-Automotive Technician II
H. Fleet Services-Hernandez, David-Automotive Technician II
I. Fleet Services-Holguin, Richard-Automotive Maint. Ticket Writer
J. Fleet Services-Licon, Salvador-Automotive Technician II
K. Fleet Services-Mascari, Mike R.-Automotive Technician II
L. Fleet Services-Pulido, Samuel-Automotive Service Worker II
M. Fleet Services-Rodarte, Daniel-Automotive Technician II
N. Fleet Services-Vaquera, Alejandro-Automotive Technician I
O. Information Technology-Dyer, Aracelli Blanca-Secretary III
P. Planning, Res. & Dev.-Barajas, Margarita-Secretary III

11. Discussion and Action on Request for Temporary Promotion:

A. Araiza, Andres – Solid Waste Management (Extension)
From: Refuse Collection Route Foreman
To: Automated Refuse Collection Operator

B. Bristol, Richard – OMB (Extension)
From: Budget Management Analyst III
To: Strategic Budget Advisor

C. Del Pino, Alicia – Fleet Services
From: Information Processor Operator
To: Secretary III

D. Escobedo, Raul – OMB (Extension)
From: Budget Management Analyst III
To: Strategic Budget Advisor

E. Rosales, Martin – Airport (Extension)
From: Custodial Worker
To: Shuttle Bus Operator

12. Discussion and Action on Request to Work Employee Out of Classification:

A. Garcia, Mario – Fleet Services
From: Maintenance Mechanic II
To Building Maintenance Supervisor

B. Rivera, Victor – Fleet Services
From: Building Maintenance Worker II
To: Building Maintenance Supervisor

13. Discussion and Action on Approval of Hearing Officer's Invoice:

    A. Yetter, Bruce – Dated 11/08/04 – Montes-2004
    B. Yetter, Bruce - Dated 12/06/04 – Invoice #07-08-2004
    C. Yetter, Bruce - Dated 12/06/04 - Invoice #09-11-2004
    D. Yetter, Bruce - Dated 12/06-04 - Ortiz-2004

14. Discussion and Action on Request for Extension of Eligible Lists for an additional six months:

    A. Trades Helper – Extended through 06/26/05
    B. Refuse Collection Assistant Route Foreman – Extended through 04/29/05
    C. Automotive Service Worker I – Extended through 06/15/05

REGULAR AGENDA

15. Discussion and Action on Rule 13, Leave of Absence, Resignation, Sick Leave and Vacations and associated changes to Ordinance 8064, regarding approval of and length of leaves of absence, FMLA, benefits during leave, working hours and other benefits.

Commissioner Ellis said he was hoping they would be able to act on this. He had a brief meeting with Representative Cushing and requested the item be tabled until the second meeting in January.

MOTION TO TABLE ITEM 15 TO THE SECOND MEETING IN JANUARY MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

Bill Arballo, AFSCME Representative, said he understood at the last meeting he attended that the attachments to the agenda items would be available for the public and informed the Commission that he couldn't access them at all. He reminded the Commission that the IT Director assured the Commission that the items would be available for the public but attachments are not on the City's web page at all. He was looking for the Commission to assure him that the attachments would be available because he could not represent employees when he couldn't access the attachments.

Chair Ruck told Mr. Arballo that Mr. Montoya had said that if any member of the public wanted access to the attachments, to contact him so that they could be issued a password to go into the City portal and access the attachments.

16. Discussion and Action on Hearing Officer's Report and Recommendation:

    A. Garcia, Victor – Suspension – Sun Metro (04-SM-01BY)

Assistant City Attorney Lupe Martinez asked the Commissioner to uphold the Hearing Officer's recommendation.

Commissioner Ellis commented that he was amazed that the matters that were addressed in this recommendation merited only a one-day suspension. He said it was shocking that the discipline set out in this case was not many times more severe.

MOTION TO APPROVE HEARING OFFICER BRUCE YETTER'S RECOMMENDATION AS NOTED BELOW, MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

"1. SUSTAIN THE CHARGES AND SPECIFICATIONS, EXCEPT AS TO ANY ALLEGATIONS OF APPELLANT BEING "WONTONLY OFFENSIVE" IN HIS CONDUCT OR LANGUAGE;
2. CONFIRM THE ASSESSMENT OF A 1-DAY SUSPENSION OF VICTOR H. GARCIA

FOR THE REMAINING CHARGES AND SPECIFICATIONS; AND
3. DENY THE APPEAL OF VICTOR H. GARCIA."

B. Muñoz, Alfredo – Suspension – Fire Dept. (03-FD-23BY)

Mr. Cohen was present representing Mr. Muñoz.

The Hearing Officer's report advised the Commission that all matters in controversy were hereby resolved and concluded per the terms of conditions of the agreement of the parties.

MOTION TO APPROVE THE HEARING OFFICER'S REPORT MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

17. Discussion and Action on Grievance filed by:

DeBruhl, Edward – Sun Metro

Chair Ruck said he had read the documentation and there appeared to be a jurisdictional issue because Mr. DeBruhl had appealed on behalf of the union even though he signed it individually.

Assistant City Attorney Lupe Cuellar said that was correct and referred to the Texas Government Code Section 617.002 Collective Bargaining by public employees prohibited.

Chair Ruck told Mr. DeBruhl that he could present his case to the Commission if he appealed on his own behalf, not on behalf of the union. He also told Mr. DeBruhl to provide all the backup documentation he could to back up his grievance.

MOTION TO DISMISS ITEM 17 DUE TO LACK OF STANDING MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER PEÑA AND UNANIMOUSLY PASSED.

18. Discussion and Action on Appeal of Performance Evaluation of:

DeBruhl, Edward – Coach Operator – Sun Metro

Chair Ruck assigned a Committee consisting of Commissioners Berube who would chair the committee, and Commissioner Harris to hear Mr. DeBruhl's appeal of his performance evaluation for the period ending 10/07/04.

19. Discussion and Action on status of Patrick Curry reclassification issue, Fire Department, reference reclassification from Firefighter to Fire Paramedic.

Chair Ruck said he was in receipt of the memorandum to the Commission from Ms. Bond and Chief Rivera. He had some concerns and asked when this reclassification would be taking place since the Commission had requested it be processed before the other 90 that were pending since this one had come before the Commission as an appeal and there was a ruling that it be reclassified. He asked what time period they were looking at.

Chief Surface, Asst. Fire Chief, stated that they were actively working on a revised job specification. He advised there were many aspects to revising the job spec including working with Local 51, their union, and Human Resources. He said they anticipated having the job spec for the last meeting in February.

Chair Ruck asked if "upon request of the proper appointing authority" only referred to the incumbent going into the position once it had been reclassified?

Assistant City Attorney Lupe Cuellar said that was correct.

Chair Ruck said it didn't refer to the proper authority being able to turn down the reclassification if this Commissioner says it should be reclassified.

Assistant City Attorney Lupe Cuellar said the Commission could request that the City Manager place the specification in the proper position. This has already been done by the Commission.

MOTION TO TABLE ITEM 19 UNTIL IT COULD BE ADDRESSED IN EXECUTIVE SESSION ALONG WITH ITEM 21 MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

MOTION TO ADJOURN TO EXECUTIVE SESSION ON THIS ITEM FOR THE PURPOSE OF RECEIVING LEGAL ADVICE UNDER SECTION 551.071 MADE BY COMMISSIONER ELLIS (he rescinded the motion before a vote).

The rest of this item was addressed in Executive Session. (see motion after Item 20)

Chair Ruck asked Ms. Bond if Ms. Wilson gave instructions to reclassify this position.

Ms. Bond said that they were in the process of rewriting the job description and until such time as that was completed there could be no evaluation of a reclassification.

Chair Ruck asked Chief Surface if they could guarantee they would be ready by the second meeting in February.

Chief Surface stated that was their goal.

Commissioner Ellis asked Chief Surface how much time they needed.

Chief Surface told the Commission that there were some pending grievances that directly affected this issue. He said they were currently working with Local 51 so that they would be able to exclude some of the pending grievances from the job spec. He told the Commission that he wanted to bring a job description to the Commission that had Local 51's endorsement.

Discussion.

Mr. Curry said that on his initial request he asked for salary standardization and didn't see how rewriting the job specification would address his request. He was concerned that it would just come back to the Commission as a rewritten job description to include medical duties, he said there was a current job description for Fire Paramedic which would cover those duties, which were the duties he was presently performing.

MOTION TO TABLE ITEM 19 TO THE SECOND MEETING IN FEBRUARY MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

20. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rule 8.1.d.1.:

    A. Prieto, Rosa – Accountant I

This item was deleted concurrent with the approval of the consent agenda.

    B. Flores, Luis – Carpenter

Chair Ruck read the specifics of Mr. Flores' disqualification.

Mr. Flores said he had 25 years experience as a carpenter and detailed his experience for the Commission.

Chair Ruck asked Mr. Mueller how it was determined that Mr. Flores didn't have those 25 years experience as he stated.

Paul Mueller, Human Resources Analyst, stated that the national terms of an apprenticeship calls for working 4 years as a carpenter, approximately 8,000 hours of various types of carpentry works.

Discussion.

MOTION TO DENY ITEM 20B MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER BERUBE AND PASSED BY A VOTE OF 5 TO 1.

Ayes: Commissioners Peña, Berube, Schwartz, Harris, Ellis
Nays: Commissioner Graham

MOTION TO ADJOURN TO EXECUTIVE SESSION MADE BY COMMISSIONER SCHWARTZ, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

The Commission retired into Executive Session at 6:32 p.m. to discuss Items 19, 21 and 24, and reconvened for Open Session at 7:36 p.m.

MOTION TO ADJOURN EXECUTIVE SESSION AND RETURN TO REGULAR SESSION MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

21. Discussion and Action on Appeal of Disqualification to take Examination and/or Removal of Name from Eligible List in accordance with C.S.C. Rules and Regulations:

    A. Moore, Guillermo – Airport Maintenance Lead Worker (Ord. 8064, 5.1.b.)
    B. Moore, Guillermo – Airport Maintenance Lead Worker (11.3.g.)

Mr. Moore was present. The matter was discussed in Executive Session. The following action was taken in Open Session.

MOTION TO APPROVE ITEMS 21A AND 21B MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER GRAHAM AND UNANIMOUSLY PASSED.

C. Beltran, Adan – Automotive Service Worker I (8.1.d.4.)

Mr. Beltran was present. The matter was discussed in Executive Session. The following action was taken in Open Session.

MOTION TO DENY ITEM 21C MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.

D. Granillo, Cruz Jr. – Carpenter (Ord. 8064, 5.1.b.)

Mr. Granillo was present. The matter was discussed in Executive Session. The following action was taken in Open Session.

MOTION TO APPROVE ITEM 21D MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER PEÑA AND UNANIMOUSLY PASSED.

E. Sanchez, Ruben – Customer Relations Clerk (11.3.g.)

Mr. Sanchez was present. The matter was discussed in Executive Session. The following action was taken in Open Session.

MOTION TO APPROVE ITEM 21E MADE BY COMMISSIONER ELLIS, SECONDED BY COMMISSIONER HARRIS AND PASSED BY A VOTE OF 4 TO 1 WITH 1 ABSTENTION.

Ayes: Commissioners Graham, Schwartz, Harris, Ellis
Nay: Commissioner Peña
Abstain: Commissioner Berube

22. Discussion and Action on Hearing Officers' authority to forward a case to another Hearing Officer when they must recuse themselves.

Chair Ruck stated that reference Hearing Officers being able to forward a case to another Hearing Officer when they must recuse themselves was non-existent according to the backup they were provided, which were CSC minutes for 1999 in which the Commission discussed this same issue and ruled on it.

Chair Ellis asked there would be an impediment to Hearing Officer A passing a case to Hearing Officer B for hearing in a presiding capacity and what would that impediment be?

Assistant City Attorney Lupe Cuellar said the impediment would be that this Commission has not given any of the Hearing Officers the authority to do that.

Discussion.

Chair Ruck concluded by saying that the 1999 minutes made it very clear that if a Hearing Officer wants to recuse himself he sends the case back to the Secretary of the Commission and she reassigns the case to the next Hearing Officer or brings it before the Commission if there is a problem.

MOTION TO DELETE ITEM 22 MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER SCHWARTZ AND UNANIMOUSLY PASSED.

23. Discussion and Action on rerated Performance Evaluation of:

Bond, Terry – Human Resources Director – Human Resources

Chair Ruck commented that the Commission received a rerated performance evaluation as there was a procedural issue with the first one. This was done with a proviso that if Ms. Bond was not satisfied with the rerated evaluation after the offending language was removed, the committee would hear the appeal on it merits.

Discussion.

Ms. Bond said she was not satisfied with the rating.

MOTION TO ACCEPT THE RERATED EVALUATION DELETING THE PROCEDURAL PROBLEM, AND FOR THE COMMITTEE PREVIOUSLY ASSIGNED CONSISTING OF COMMISSIONERS MARTINEZ, PEÑA AND RUCK, TO HEAR THE MERITS OF THE CASE MADE BY COMMISSIONER BERUBE, SECONDED BY COMMISSIONER ELLIS AND UNANIMOUSLY PASSED.

24. Discussion and Action on Pending Appeals of:

A. Jimenez, Jesus Jr. (04-ST-04BY)

B. Miranda, Miguel (04-ST-05BY)
C. Torres, Javier (04-ST-06BY)

Chair Ruck advised that they received some documentation but did not receive the audio of the hearings as requested. He requested that the Commission receive all of the requested backup before the next meeting.

Commissioner Ellis wanted the record to reflect that Human Resources didn't receive any material on this matter until late Friday and on Monday also.

Chair Ruck asked if Human Resources had received the tapes.

Ms. Bond said yes, 4 tapes were received and Ms. Buenning was trying to find an efficient way to copy them for the Commission. She said Information Technology was not able to help but Ms. Buenning had found an outside company who could do this. Ms. Bond told the Commission that the goal was to copy the tapes onto 1 CD, this way the Commissioners will each get 1 CD instead of 4 cassette tapes. She advised that an HR staff member had brought equipment from home and was also trying to help. She hoped the CDs would be ready by next week.

MOTION TO TABLE ITEM 24 UNTIL THE FIRST MEETING IN JANUARY MADE BY COMMISSIONER PEÑA, SECONDED BY COMMISSIONER BERUBE AND UNANIMOUSLY PASSED.

25. Discussion and Action on Hiring Hearing Officers.

Ms. Bond advised the Commission that Hearing Officer Ponder had resigned. She reminded the Commission that there was one candidate that they were also considering as a Hearing Officer and that was Ms. Cross.

Discussion.

After discussion it was decided that Ms. Cross would be contacted by Human Resources. If she was interested in the position, then a special meeting of a subcommittee of the Commission assigned by Chair Ruck consisting of Commissioners Ellis, Ruck and Schwartz will be posted for 01/13/05 at 5:30 p.m. to interview her. The committee will then make a recommendation to the Commission at their regular meeting at 6:00 p.m. the same day.

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMISSION, A MOTION TO ADJOURN WAS MADE BY COMMISSIONER PEÑA, SECONDED BY COMMISSIONER HARRIS AND UNANIMOUSLY PASSED.

THE MEETING ADJOURNED AT 8:07 P.M.

Lance E Ruck
LANCE RUCK, C.S.C. CHAIR

Terry Bond
TERRY BOND, C.S.C. SECRETARY

1-13-05
DATE APPROVED